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*H 9/Refund
Reg*

January 2, 2001

Mr. Frank LeBron
Patent and Trademark Office
Refund Department - Box 17
Washington, D.C. 20231

RE: PTO Deposit Account 14-1138

Dear Mr. LeBron:

The following chart shows discrepancies noted on our monthly deposit account statement. Please review these items and contact me with your findings **as soon as possible**. If you require additional information, my number is (716) 263-1211. Thank you for your assistance.

| Date | Control No. | Serial No. | Our Ref. No. | Fee Code | Refund Amount | Reason for Refund Request |
|---|--|------------|--------------|----------|---------------|--|
| 10/27/00 OFFICE OF REFUND DEPARTMENT | 108 JAN -9 US PATENT & TRADEMARK OFFICE | 09/574,735 | 2283/301 | 205 | \$65.00 | Applicants' records indicate that the signed Declaration along with a check for the \$65.00 fee was sent via first class mail on July 18, 2000, in advance of receiving the Notice to File Missing Parts of Nonprovisional Application. The Notice to File Missing Parts was mailed from the PTO on August 18, 2000. On October 18, 2000 a response to the Notice to File Missing Parts was filed along with a copy of the papers filed July 18, 2000. Applicants believe this \$65.00 charge should not be due, as the \$65.00 fee was paid with the July 18, 2000 filing of the signed Declaration and thus respectfully request a refund. |

Sincerely,

Janice Bowers

Janice Bowers
Paralegal

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|--------------|------------------------------------|---|-----------|
| Applicant : | Leivan DeVeylder et al |) | Examiner: |
| Serial No. : | 09/574,735 |) | |
| Filed : | May 18, 2000 |) | Art Unit: |
| For : | CYCLIN-DEPENDENT KINASE INHIBITORS |) | 1643 |
| | AND USES THEREOF |) | |

RESPONSE TO NOTICE TO FILE MISSING PARTS OF NON-PROVISIONAL
APPLICATION

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the Notice to File Missing Parts Of Non-Provisional Application in which was stated that a properly signed Oath or Declaration in Compliance with 37 C.F.R. § 1.63 is missing from the above-captioned application, Applicants submit herewith a copy of such a Declaration which was duly filed in the United States Patent and Trademark office on July 18, 2000. This date coincides with the mailing date of the Notice to File Missing Parts and indicates that Applicants' submission of the Declaration and the Notice to File Missing Parts crossed in the mail.

Inasmuch as Applicants properly filed the signed Declaration on July 18, 2000, including the requisite \$65.00 surcharge, no fee should be due by Applicants. A copy of the Notice to File Missing Parts is submitted herewith as requested.

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

I certify that the attached Notice to File Missing Parts of Non-Provisional Application is being deposited on October 18, 2000 with the U.S. Postal Service as first class mail under 37 C.F.R. § 1.8 and addressed to Commissioner for Patents, Washington D.C. 20231.


Maria I. Matos

Nevertheless, the Commissioner is authorized to charge any necessary fees associated with this submission to deposit account number 14-1138.

Respectfully submitted,

Date: October 18, 2000

A handwritten signature in cursive script, reading "Ann R. Pokalsky", written over a horizontal line.

Ann R. Pokalsky
Registration No. 34,697

Nixon, Peabody LLP
990 Stewart Avenue
Garden City, New York 11530-4838
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PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Lieven DeVeylder, et al. Docket: 13423Z

Serial No.: 09/574,735

Dated: July 18, 2000

Filed: May 18, 2000

For: CYCLIN-DEPENDENT KINASE INHIBITORS
AND USES THEREOF

Assistant Commissioner for Patents
Washington, DC 20231

SUBMISSION OF DECLARATION
AND POWER OF ATTORNEY

Sir:

Enclosed is a Declaration and Power of Attorney for the above application previously filed without a declaration. The requisite \$65.00 surcharge for this filing is enclosed by check. A Verified Statement Claiming Small Entity Status was filed on July 18, 2000. A copy of this Statement is enclosed.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

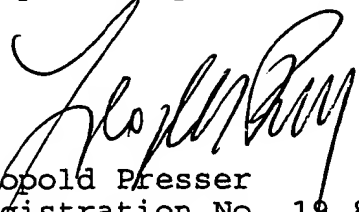
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on July 18, 2000.

Dated: July 18, 2000

Michelle Spina

Any additional charges required in connection with this submission may be charged to Deposit Account No. 19-1013/SSMP. A duplicate sheet of this sheet is enclosed.

Respectfully submitted,



Leopold Presser
Registration No. 19,827

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LP:ab